

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



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www.franklinma.gov

OFFICE OF THE TOWN ADMINISTRATOR

DATE: March 1, 2021
TO: Franklin Restaurant Licensees
FROM: Jamie Hellen, Town Administrator
Chrissy Whelton, Assistant to the Town Administrator

RE: Extension of Premises: Outdoor Dining on Private Property/Parking Lot- UPDATE

This guidance is for restaurants who wish to use or currently use private parking lots for outdoor dining to increase business activity and revenues in a safe and responsible way during the COVID-19 pandemic. On June 3 2020, the Town Council authorized the Town Administrator to execute any and all licenses relative to [COVID-19 Executive Order No. 35](#) in regards to opening reactants for outdoor dining.

For any businesses who applied and were approved last year: Your permit remains in effect however you must send the Town Administration Office your updated Certificate of Liability Insurance. Also, if you had tents and wish to use these again you must have those reinspected by the building department. Please contact the Building department at 508-528-4926 with any questions or complete the online building application here:

<https://franklinma.viewpointcloud.com/categories/1081/record-types/6456>

For any new businesses applying or any changes to existing permit being made: Before the private parking lot is used for the benefit of the restaurant, the owner or his/her/their designee, shall complete the online "Temporary Outdoor Dining License" application via Viewpoint under "Administration". <https://franklinma.viewpointcloud.com/>

Required Documents to Submit (where applicable)

1. **Application.** Complete online application via [viewpoint](#) and upload the additional documents needed.
2. **Outdoor Seating Visual Plan.** Submit a legible drawing showing the parking lot you would like to use for outdoor dining that includes the following information:
 - a. Dimensions of the portion of the parking lot to be used for outdoor dining. Include the number of spaces that will be used for dining, parking spaces for

customers, including handicap spaces. All public ways, including sidewalks, roads and alleys, are prohibited from outdoor dining.

- b. Locations of curb cuts with ramps to the parking lot, if applicable.
 - c. Layout of tables and chairs. Tables must be 6' apart to facilitate social distancing. Include dimensions of tables.
 - d. Location or description of barriers to be used to protect diners from vehicles and their locations (i.e. entrance(s) to parking lots, around the portion of the lot being used for outdoor dining, etc.)
 - e. Tents. Tents must be approved by the Building Department and receive a permit from the Building Commissioner. The Building Commissioner is waiving the associated fee with a tent inspection for this temporary license only. We simply require an inspection and compliance with a flame retardant certificate.
 - f. The outdoor dining area and barriers must be accessible and meet ADA and [Massachusetts Architectural Access Board's regulations](#)
3. **Alternative Parking Area(s).** Describe or indicate on a map, other areas where customers could park when visiting your establishment. For Free Municipal Parking, please see the [Downtown Franklin Parking Map](#).
4. **Letter of Permission**, if applicable. If the parking lot is not owned by the restaurant, a letter of permission from the owner of the parking lot indicating permission to use it for outdoor dining is required. If you own the property, this is not required.
5. **Letter(s) of Acknowledgement**, if applicable. If other businesses and/or residents share the use of the parking lot, a letter(s) of acknowledgement of this plan from all other users is required. If you do not share the parking lot, this is not required.
6. **Liability Insurance.** Provide evidence of liability insurance to the Town covering the new dining space.

Responsibilities of the Restaurant

The restaurant, through its owner and/or manager, are responsible for self-enforcement of the use of the parking lot for outdoor dining, including all laws, regulations and safety protocols by the Governor or local permitting.

Rights of the Town of Franklin

The Town of Franklin reserves the right to revoke its permission to allow the use of the parking lot for outdoor dining. The Health Director, Chief of Police, Building Commissioner, Town Administrator, Fire Chief and/or their designees could determine that the operation of the outdoor dining area is negatively impacting public health and safety, or that a licensee is not following any of the legal requirements outlined by the Governor, Board of Health or local officials.

Please contact Chrissy Whelton with any questions via email at cwhelton@franklinma.gov or 774-571-3024

